



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/676,572

09/30/2003

Stuart D. Cheshire

APL-P3153

7890

62096

7590

08/04/2009

PVF -- APPLE INC.

c/o PARK, VAUGHAN & FLEMING LLP

2820 FIFTH STREET

DAVIS, CA 95618-7759

EXAMINER

HAMZA, FARUK

ART UNIT

PAPER NUMBER

2455

MAIL DATE

DELIVERY MODE

08/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/676,572	Applicant(s) CHESHIRE, STUART D.	
	Examiner FARUK HAMZA	Art Unit 2455	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-9,11,13-17,19,21-24,35-37 and 40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-9, 11, 13-17, 19, 21-24, 35-37 and 40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's election of invention I (claims 1, 3, 5-9, 11, 13-17, 19, 21-24 and 35-37) in the reply filed on May 27, 2009 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). Claim 40 is newly added. Claims 1, 3, 5-9, 11, 13-17, 19, 21-24, 35-37 and 40 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 3, 5-9, 11, 13-17, 19, 21-24, 35-37 and 40 rejected under 35 U.S.C. 102(e) as being anticipated by Jonsson et al. (U.S. Patent Number 7,164,885) hereinafter referred as Jonsson.

As to claim 1 Jonsson teaches a method for invalidating a resource record in a local cache at a client computer system within a network, comprising:

retrieving the resource record from the local cache at the client;
issuing one or more queries for the resource record;

Art Unit: 2455

waiting for a response to the query; and

if the response to the query is not received in a pre-determined amount of time and after issuing a predetermined number of queries for the resource record, invalidating the resource record at the client (Column 7, lines 23-65, Column 8, lines 15-Column 9, lines 8).

As to claim 3, Jonsson teaches the method of claim 1, further comprising: receiving a multicast message from a second client querying a second device; locating a second resource record associated with the second device; waiting for a multicast response to the multicast query; and if after a pre-determined number of queries the multicast response to the multicast query is not received in the pre-determined amount of time, invalidating the second resource record (Column 7, lines 23-65, Column 8, lines 15-Column 9, lines 8).

As to claim 5, Jonsson teaches the method of claim 1, wherein if the response to the query is not received in a pre-determined amount of time, the method further comprises:

retrieving a parent record of the resource record at the client, wherein the parent record refers to the resource record;

issuing a query for the parent record;

waiting for a response to the query from the device; and

if the response to the query is not received in a pre-determined amount of time, invalidating the parent record, and then repeating the above process by

Art Unit: 2455

applying it recursively to any records that refer to the now-invalidated parent record (Column 7, lines 23-65).

As to claim 6, Jonsson teaches the method of claim 1, wherein if the response to the query is not received in a pre-determined amount of time, the method further comprises:

retrieving a parent record of the resource record at the client, wherein the parent record refers to the resource record;

issuing a query for the parent record;

receiving a response to the query from the device, wherein the response includes information for updating the resource record; and

updating the resource record with the information received in the response (Column 7, lines 23-65).

As to claim 7, Jonsson teaches the method of claim 6, wherein the method further comprises updating the parent record with the information received in the response (Column 7, lines 23-65).

As to claim 8, Jonsson teaches the method of claim 1, wherein the method is invoked at a pre-specified time interval (Column 7, lines 23-65).

Claims 9, 11, 13-17, 19, 21-24, 35-37 and 40 do not teach or define any new limitations other than above claims 1, 3 and 5-8. Therefore, 9, 11, 13-17, 19, 21-24, 35-37 and 40 are rejected for similar reasons.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of

Art Unit: 2455

the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Response to Arguments

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

Art Unit: 2455

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).

Faruk Hamza

Patent Examiner

Group Art Unite 2455

/Faruk Hamza/

Examiner, Art Unit 2455